

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CP ANCHORAGE HOTEL 2, LLC d/b/a ANCHORAGE HILTON And UNITE HERE! LOCAL 878, AFL-CIO	Case No. 19-CA-215741
--	-----------------------

**CHARGING PARTY’S EXCEPTIONS TO THE DECISION OF THE
ADMINISTRATIVE LAW JUDGE**

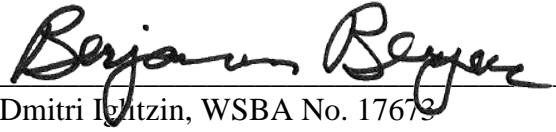
Pursuant to §102.46(a) of the Board’s Rule and Regulations, Series 8, as amended, Charging Party UNITE HERE! Local 878, AFL-CIO hereby files exceptions to the Decision of Administrative Law Judge (ALJ) Mara-Louise Anzalone dated November 14, 2019 for the reasons set forth in Charging Party’s Brief in Support of Exceptions, filed herewith. The Charging Party takes exception in the following ways:

1. The ALJ erred under *Wright Line* by refusing to evaluate whether Respondent would have imposed the same level of discipline on Rosario absent his protected activity. (ALJ Decision p. 12:34-39).
2. The ALJ erred under *Wright Line* by ignoring evidence of inconsistent enforcement and the absence of comparator discipline. (ALJ Decision p. 13:18-24).
3. The ALJ erred by finding that Rosario was not discharged in part for denying he had taken the photographs of mold (ALJ Decision p. 13, n.16).

//

//

RESPECTFULLY SUBMITTED this 12th day of December, 2019.

A handwritten signature in black ink, appearing to read "Benjamin Berger", written over a horizontal line.

Dmitri Iglitzin, WSBA No. 17673
Ben Berger, WSBA No. 52909
BARNARD IGLITZIN & LAVITT, LLP
18 West Mercer St., Suite 400
Seattle, WA 98119
(206) 257-6003
iglitzin@workerlaw.com
berger@workerlaw.com

Attorneys for UNITE HERE! Local 878

DECLARATION OF SERVICE

I, Jennifer Woodward, declare under penalty of perjury under the laws of the state of Washington that on this 12th day of December, 2019, I caused the foregoing document to be sent via email to:

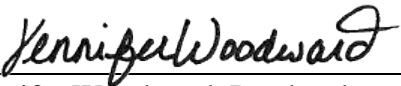
Douglas S. Parker
dparker@littler.com

Renea I. Saade
rsaade@littler.com

Sean Halloran
shalloran@littler.com

Carolyn McConnell
carolyn.ccconnell@nlrb.gov

Signed in Seattle, Washington, this 12th day of December, 2019.



Jennifer Woodward, Paralegal